

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**MICHAEL ISAAC ROGERS**

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**v.**

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**THE CITY OF WINNSBORO, TEXAS;  
ANDY CHESTER, CHIEF OF POLICE;  
RANDY UNDERWOOD, POLICE  
OFFICER; and TOMMY CARDEN,  
POLICE OFFICER**

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**Case No. 6:15-cv-003-MHS-KNM**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636. The Magistrate Judge issued a Report and Recommendation (Doc. No. 53) concluding that Defendants' Motions for Summary Judgment (Doc. Nos. 22 and 23) should be granted as to all of Plaintiff's claims asserted against Defendants. The Report and Recommendation ("R&R") of the Magistrate Judge, which contains her findings, conclusions, and recommendations has been presented for consideration. Plaintiff filed nine pages of objections to the R&R (Doc. No. 54) on July 21, 2016. Plaintiff generally argues that the Magistrate Judge failed to consider certain evidence in the record that he believes creates a genuine issue of material fact as to each of his claims. Plaintiff failed, however, to explain how the facts he discusses are material to any specific element of his claims. He also failed to address any of the deficiencies identified by the Magistrate Judge in her R&R.


On the whole, Plaintiff's objections merely restate arguments that the Magistrate Judge already considered and rejected in preparing her report. Therefore, after conducting a *de novo* review of the Magistrate Judge's report, the objections, the record, and the applicable law, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct.

Accordingly, the Court overrules Plaintiff's objections and hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge as the findings and conclusions of this Court. Furthermore, it is

**ORDERED** that Defendants' Motions for Summary Judgment (Doc. Nos. 23 and 24) are hereby **GRANTED**, and all of Plaintiff's claims asserted against Defendants in this case are **DISMISSED WITH PREJUDICE**. Judgment will issue by separate order.

**It is SO ORDERED.**

**SIGNED this 19th day of August, 2016.**

  
MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE